

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

REMEKA LEVERT,
Plaintiff,

v.

AMERICAN CANCER SOCIETY, INC.
Defendant.

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CIVIL ACTION FILE

NO.:

NATURE OF THE ACTION

This is an action under Title VII of the Civil Rights Act (Title VII) and the Equal Pay Act to correct unlawful employment practices on the basis of race and sex and to provide appropriate relief to Remeka Levert (“Levert”), who was adversely affected by such practices. As alleged with greater particularity below, Plaintiff Remeka Levert alleges that Defendant American Cancer Society, Inc. (“ACS”), violated Title VII by when it denied her the opportunity to apply for a vacant position and retaliated against her when it discharged her after engaging in protected activity.

I. JURISDICTION AND VENUE

1. Jurisdiction of this Court is invoked pursuant to 29 U.S.C. § 206 & 42 U.S.C. 2000e. This action is authorized and instituted pursuant Title VII of the

Civil Rights Act of 1964 (Title VII), 42 U.S.C. § 2000e-5(f)(1) and (3) and pursuant to Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981(a).

2. Venue is proper because the employment practices alleged to be unlawful were committed within the jurisdiction of the United States District Court for the Northern District of Georgia.

II. DEFENDANT

3. Defendant is an entity doing business in the State of Georgia and the City of Atlanta and has continuously employed at least 15 employees.

4. At all relevant times, ACS has continuously been and is now an employer engaged in an industry affecting commerce.

5. At all relevant times, ACS has been a covered entity.

III. FACTUAL ALLEGATIONS

6. More than thirty days prior to the institution of this lawsuit, Levert filed a charge of discrimination with the EEOC alleging violations of Title VII by Defendant.

7. On September 30, 2020, the EEOC issued a right to sue letter to Levert to seek appropriate relief.

8. All conditions precedent to the institution of this lawsuit have been fulfilled.

STATEMENT OF CLAIMS

9. On or around August 30, 2019, Defendant ACS has engaged in unlawful employment practices by telling Plaintiff that the vacant position was for a Procurement Inventory Manager when it was actually for Logistic and Materials Planning Manager.

10. Levert spoke with ACS Human Resource Director, Laura Timko about concerns regarding the company's hiring process within her department.

11. Levert contacted several employees in upper management to discuss her concerns regarding the company's hiring process within her department.

12. On May 15, 2020, Levert was laid off without any explanation.

13. The hiring practices described above have deprived Levert of equal employment opportunities and otherwise adversely affect her status as an employee because of her race (African American) and in retaliation for engaging in protected activity.

IV. PRAYER FOR RELIEF

WHEREFORE, Levert respectfully requests that this Court will:

a. Grant a permanent injunction enjoining Defendant, its officers, agents, employees, subordinates, successors in office, and all those acting in concert or

participation with it from engaging in any employment practice that violates Title VII; and

b. Order Defendant to make Levert whole by providing appropriate back pay with prejudgment interest, in amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects of its unlawful employment practices, including but not limited to reinstatement of Levert.

c. Order Defendant to make Levert whole by providing compensation for past and future pecuniary losses.

d. Order Defendant to make Levert whole by providing compensation for past and future nonpecuniary losses, including but not limited to emotional pain, suffering, loss of enjoyment of life and humiliation.

e. Grant such relief as the Court deems necessary and proper in the public interest.

Respectfully submitted this 30 day of December 2020.

/s/ Aisha Broderick

Aisha Broderick

Georgia Bar No. 166997

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CERTIFICATE OF SERVICE

I, Aisha Broderick, hereby certify that on December 30, 2020, I electronically filed the foregoing Complaint with the Clerk of the Court using the CM/EMF system. The Complaint will be served on the above-named Defendants.

/s/ Aisha Broderick

Aisha Broderick
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